



MEDICARE

SCOTT NELSON MD
907 E SUNFLOWER RD STE 104
CLEVELAND MS 38732-2830

April 12, 2022

Reference #: DCN: 6220979161
NPI: 1336220276
PTAN: 080004056 / 575796YJ9L / 779296

Dear Scott Nelson:

Your Medicare privileges are being revoked effective April 4, 2022 for the following reason(s).

42 CFR §424.535(a)(3) – Felonies

The Centers for Medicare & Medicaid Services (CMS) has been made aware of your April 4, 2022, felony conviction, as defined in 42 C.F.R. § 1001.2, for Conspiracy to Commit Healthcare Fraud in violation of 18 U.S. Code & 1349, and for Healthcare Fraud in violation of 18 U.S. Code & 1347, & 2 in the United States District Court, Northern District of Mississippi.

Please be advised that, in light of the current national health emergency, you may submit appeals via email to: providerenrollmentappeals@cms.hhs.gov. More appeals information is available below.

In light of your felony conviction, you are being added to the CMS Preclusion List. This action is taken pursuant to 42 C.F.R. §§ 422.2 and 422.222 for all providers/suppliers. Additionally, for individuals that are suppliers, such as physicians and non-physician practitioners, this action is also taken pursuant to 42 C.F.R. §§ 423.100 and 423.120(c)(6).

The effective date of your inclusion on the CMS Preclusion List is dependent upon your submission or non-submission of a reconsideration request (see below). If you do submit a reconsideration request and your inclusion on the CMS Preclusion List is upheld, the effective date of your inclusion on the CMS Preclusion List will be the date of the reconsidered decision. If you do not submit a reconsideration request, the effective date of your inclusion on the CMS Preclusion List will be 65 calendar days after the date of this letter.

During the time period that your name will be included on the CMS Preclusion List as listed

above, any claims for health care items or services furnished under a Medicare Advantage (MA) benefit submitted by you, or on your behalf by an entity you are employed by, shall be denied. Additionally, any pharmacy claims submitted for Medicare Part D drugs that you prescribe shall be rejected or denied subject to the exception at 42 C.F.R. § 423.120(c)(6)(iv). This means that your patients may not be able to receive coverage of their prescriptions using their Part D benefit at the pharmacy.

Your revocation and placement on the CMS Preclusion List will not negatively impact your Medicare and/or Medicaid benefits as an individual receiving health insurance coverage under either or both programs.

The below appeal rights apply to both your revocation and inclusion on the CMS Preclusion List. If you choose to appeal, you **must** file an appeal to (1) the revocation and (2) the inclusion on the CMS Preclusion List jointly.

Right to Submit a Reconsideration Request:

You may request a reconsideration of this determination. This is an independent review conducted by a person not involved in the initial determination.

Reconsideration requests must:

- Be received in writing within 65 calendar days of the date of this letter and mailed or emailed to the address below.
- State the issues or findings of fact with which you disagree and the reasons for disagreement.
- Be signed by the provider or supplier, an authorized or delegated official that has been reported within your Medicare enrollment record, or an authorized representative.
 - If the authorized representative is an attorney, the attorney's statement that he or she has the authority to represent the provider or supplier is sufficient to accept this individual as the representative.
 - If the authorized representative is not an attorney, the individual provider, supplier, or authorized or delegated official must file written notice of the appointment of its representative with the submission of the reconsideration request.
 - Authorized or delegated officials for groups cannot sign and submit a reconsideration request on behalf of a reassigned provider/supplier without the provider/supplier submitting a signed statement authorizing that individual from the group to act on his/her behalf.

Providers and suppliers may:

- Submit additional information with the reconsideration that may have a bearing on the decision. However, if you have additional information that you would like a Hearing Officer to consider during the reconsideration or, if necessary, an Administrative Law Judge (ALJ) to consider during a hearing, you must submit that information with your request for reconsideration. This is your only opportunity to submit information during the administrative appeals process unless an ALJ allows additional information to be submitted.
- Include an email address if you want to receive correspondence regarding your appeal via email.

You may not appeal, through this process, the merits of any past Medicare revocation or any exclusion by another Federal agency that has resulted in you being placed on the Preclusion List. An appeal of an exclusion must be filed separately with the Federal agency that took the action.

If a reconsideration is not requested, CMS deems this a waiver of all rights to further administrative review. More information regarding appeal rights can be found at 42 C.F.R. Part 498.

The reconsideration should be sent to:

Centers for Medicare & Medicaid Services
Provider Enrollment & Oversight Group
ATTN: Division of Provider Enrollment Appeals
7500 Security Blvd.
Mailstop: AR-19-51
Baltimore, MD 21244-1850

Or emailed to: ProviderEnrollmentAppeals@cms.hhs.gov

Pursuant to 42 CFR § 424.535(c), CMS is establishing a re-enrollment bar effective 30 days after the postmark date of this letter. You may be eligible to re-enroll on April 5, 2032.

If you have any questions, please contact our office at 1-855-252-8782 between the hours of 8:00 AM and 4:00 PM (CT and MT) Monday – Friday for providers/suppliers in Jurisdiction H (Arkansas, Colorado, Louisiana, Mississippi, New Mexico, Oklahoma, or Texas) or 1-877-235-8073 between the hours of 8:00 AM and 4:00 PM (EST) Monday – Friday for providers/suppliers in Jurisdiction L

(Pennsylvania, New Jersey, Maryland, Delaware, the District of Columbia, the Counties of Arlington and Fairfax in Virginia or the City of Alexandria in Virginia).

Sincerely,

Melissa Z.
PE Provider Records Representative
Novitas Solutions, Inc.

M108(a)